



Whistle Blowing Policy

21 January 2020

Version 1.0

1. Introduction

- 1.1 Scottish Athletics is committed to conducting our business with honesty and integrity and we expect all those involved with athletics to maintain high standards also.
- 1.2 Any suspected wrongdoing should therefore be reported as soon as possible.

2. Purpose of this Policy

- 2.1 This policy is designed to enable individuals to raise concerns internally, at a high level, and to disclose information which relates to suspected wrongdoing or dangers in relation to our activities i.e. whistleblowing.
- 2.2 This policy is intended to cover concerns which are in the public interest and may at least initially be investigated separately but might then lead to the invocation of other procedures, for example, disciplinary. These concerns could include:
 - 2.2.1 Financial malpractice or impropriety or fraud;
 - 2.2.2 Failure to comply with a legal or professional obligation;
 - 2.2.3 Dangers to health and safety or the environment;
 - 2.2.4 Criminal activity;
 - 2.2.5 Improper conduct or unethical behaviour, including bribery; and
 - 2.2.6 Deliberate attempts to conceal any of these.
- 2.3 It also includes the following matters specific to Scottish Athletics:
 - 2.3.1 Bullying;
 - 2.3.2 Harassment;
 - 2.3.3 Discrimination; and
 - 2.3.4 Child and vulnerable adult safeguarding.

3. Policy Objectives

- 3.1 To provide arrangements for an individual who discovers information which they believe shows serious malpractice or wrongdoing within the organisation to report and disclose such information internally without fear of reprisal.
- 3.2 It should be emphasised that this policy is intended to assist individuals who believe they have discovered malpractice or impropriety. It is not designed to question financial or business decisions taken by Scottish Athletics nor should it be used to reconsider any matters which have already been addressed under harassment, complaint, disciplinary or other procedures. Once the whistleblowing procedures are in place, it is reasonable to expect an individual to use them rather than air their complaints outside Scottish Athletics.
- 3.3 The law recognises that in some circumstances it may be appropriate for concerns to be reported to an external body such as a regulator. We strongly encourage you to seek advice before reporting a concern to anyone external.

4. Policy Statement

- 4.1 An important aspect of accountability and transparency is a mechanism to enable individuals to voice concerns in a responsible and effective manner.
- 4.2 Scottish Athletics has endorsed the provisions set out below so as to ensure that no one should feel at a disadvantage in raising legitimate concerns.
- 4.3 You cannot treat anyone adversely if they blow the whistle and anyone discovered to be so doing could face disciplinary action through the Scottish Athletics Disciplinary Policy for Partakers.

5. Scope of the Policy

- 5.1 This policy applies to all individuals involved with Scottish Athletics.

6. How to Raise a Concern

- 6.1 We hope that in many cases you will be able to raise any concerns with your Scottish Athletics manager or contact, either verbally or in writing. They may be able to agree a way of resolving your concern, although in some cases they may refer the matter to the Head of Operations.
- 6.2 Where you prefer not to raise the concern with your manager for any reason, you should contact the Head of Operations or Chief Executive Officer. The Chief Executive Officer has the right to refer the complaint back to management if they feel that management, without any conflict of interest, can more appropriately investigate the complaint.
- 6.3 We will arrange a meeting with you as soon as possible to discuss your concern. You may bring a companion to any meetings under this policy. Your companion must respect the confidentiality of your disclosure and any subsequent investigation.
- 6.4 You can write to the Chief Executive Officer and Head of Operations at Scottish Athletics Limited, Caledonia House, South Gyle, Edinburgh, EH12 9DQ or email complaints@scottishathletics.org.uk

7. How your concern will be dealt with

- 7.1 Complaints of malpractice will be investigated by the Chief Executive Officer, or a suitable investigating officer appointed by the Chief Executive Officer, unless the complaint is against the Chief Executive Officer or is in any way connected to the Chief Executive Officer. In such cases, the complaint should be passed to the Chair who will nominate an appropriate investigating officer.
- 7.2 If there is evidence of criminal activity the investigating officer should inform the police. Scottish Athletics will ensure that any internal investigation does not hinder a formal police investigation.
- 7.3 There are procedures in place to enable individuals to put forward a grievance relating to their employment or where they believe they have been subject to detrimental behaviour at work. Scottish Athletics' Grievance Policy should be referred to in these circumstances. This Whistleblowing Policy is intended to cover issues of probity and honesty that fall outside the

scope of other procedures.

8. Investigating Procedure

8.1 The investigating officer should follow these steps:

8.1.1 Obtain full details and clarifications of the complaint.

8.1.2 Inform the individual against whom the complaint is made as soon as is practically possible. The individual will be informed of their right to be accompanied by a trade union representative or other representative at any future interview or hearing held under the provision of these procedures.

8.1.3 Consider the involvement of Scottish Athletics auditors and the police, and consultation with the CEO or Chair.

8.1.4 Investigate the allegations fully with the assistance, where appropriate, of other individuals/bodies.

8.1.5 Provide a written report to the Chief Executive Officer or Chair, as appropriate, which contains a judgement concerning the complaint and validity of the complaint and on the findings of the investigation reasons for the judgement.

8.1.6 The Chief Executive Officer or Chair will decide what action to take. If the complaint is shown to be justified, then they will invoke the disciplinary or other appropriate organisation procedures.

8.1.7 The complainant should be kept informed of the progress of the investigations and, if appropriate, of the final outcome.

8.2 Due to the varied nature of these sorts of complaints, which may involve internal investigators and/or the police, it is not possible to lay down precise timescales for such investigations. The investigating officer should ensure that investigations are undertaken as quickly as possible without affecting the quality and depth of those investigations.

8.3 If the complainant is not satisfied that their concern is being properly dealt with by the investigating officer, they have the right to raise it in confidence with a member of the Board.

8.4 If the investigation finds the allegations unsubstantiated and all internal procedures have been exhausted, but the complainant is not satisfied with the outcome of the investigation, Scottish Athletics recognises the lawful rights of individuals to make disclosures to prescribed persons (such as the Health and Safety Executive, the Audit Commission, or the utility regulators), or, where justified, elsewhere.

9. Protection

9.1 We aim to encourage openness and will support individuals who raise genuine concerns under this policy, even if they turn out to be mistaken.

9.2 Whistleblowers must not suffer any detrimental treatment as a result of raising a concern, for example disciplinary action, threats or other unfavourable treatment connected. If you believe you have suffered any such treatment, you should inform the Head of Operations immediately. If the matter is not remedied you should raise it formally using our Grievance Procedure.

- 9.3 We will treat all disclosures in a confidential and sensitive manner.
- 9.4 If we conclude that a whistleblower has made false allegations maliciously or with a view to personal gain, the whistleblower will be subject to disciplinary action.
- 9.5 You must not threaten or retaliate against whistleblowers in any way. If you are involved in such conduct you may be subject to disciplinary action. In some cases the whistleblower could have a right to sue you personally for compensation.
- 9.6 Protect, an independent whistle blowing charity, operates a confidential helpline on 0203 117 2520, email: whistle@protect-advice.org.uk, and website: www.pcaw.org.uk

10. Anonymous Allegations

- 10.1 This policy encourages individuals to put their name to any disclosures they make and we hope that individuals will feel able to voice whistleblowing concerns openly under this policy.
- 10.2 Completely anonymous disclosures are difficult to investigate. However, if you would prefer to raise your concern confidentially, we will make every effort to keep your identity secret so long as it does not hinder or frustrate any investigation.
- 10.3 Concerns expressed anonymously are much less credible, but they may be considered at the discretion of Scottish Athletics depending on the seriousness of the issues raised, the credibility of the concern, and the likelihood of confirming the allegation from attributable sources.

11. Untrue Allegations

- 11.1 If an individual makes an allegation in the public interest, which is not confirmed by subsequent investigation, no action will be taken against that individual. In making a disclosure the individual should exercise due care to ensure the accuracy of the information. If, however, an individual makes malicious or vexatious allegations, and particularly they persist with making them, disciplinary action may be taken against that individual.

12. Monitoring and Review

- 12.1 The Chief Executive Officer (or Chair) will report all complaints (i.e. public interest disclosures and confidential reports) at the next meeting of the Board, without revealing the name of the complainant or any unnecessary details. The Chief Executive Officer (or Chair) will report on the nature of any complaint and any action taken, and the resolution of it.

13. Further Reading

Scottish Athletics Disciplinary Policy

Scottish Athletics Grievance Policy

Scottish Athletics Disciplinary for Partakers Policy

Scottish Athletics Equality Policy

Equality Impact Assessment Record

Date of Assessment:	21 January 2020
Assessed by:	Head of Operations, Executive and Equalities Officer
Review date:	31 January 2023, or earlier if required